

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – October 4, 2007 P.M.

Members Present: David Grabowski, Vice-Chair; Gary Rosenbaum; Linda Dombrowski; Ramsey Alexander, Jr.

Members Absent: Tammy CitaraManis, Chairperson

DPZ Staff Present: Marsha McLaughlin; Bob Lalush; Mike Antol; Brenda Barth; Lisa Kenney

Pre-Meeting Minutes

The premeeting started at 6:40 p.m. with Mr. Grabowski, Mr. Rosenbaum and Mr. Alexander in attendance. Ms. McLaughlin explained that the SDP for Turf Valley was pulled from the agenda due to the need for additional documentation regarding soil testing. Mr. Grabowski asked that when the case goes on the agenda that the group REGION be notified via email and that an email also be sent to Mr. Grabowski. The Board discussed tabling ZRA 91 until the 10/18 meeting. They also changed their premeetings to 6:45 in the Ellicott Room to discuss preliminary and administrative matters. The premeeting ended at approximately 6:55 p.m.

Minutes

The Minutes of July 19, 2007 were tabled until the 10/18 meeting.

PUBLIC HEARING

Mr. Grabowski opened the public hearing at approximately 7:05 p.m.

PLANNING BOARD CASES

PB 381 – S-06-13 – GTW Joint Venture/Hole in the Donut, LLC/Waverly Woods Development Corporation, c/o Land Design and Development

Presented By: Mike Antol

Petition: For approval of a Comprehensive Sketch Plan and Development Criteria for the development of 350 age-restricted adult housing units (139 single family attached units and 221 single family detached units) on 149.40 ± acres of land zoned “Planned Senior Community” (PSC) in accordance with Section 127.1.K.2 of the Howard County Zoning Regulations. The subject site is located on the west side of Marriottsville Road, opposite Warwick Way, in the Third Election District of Howard County, Maryland, and is identified on Tax Map 16, Grids 3 and 4 as Parcel 120 and parts of Parcel 221 and 249.

DPZ Recommendation: Approval

Petitioner’s Representative: Joe Rutter, Land Design and Development

Mr. Antol gave an overview of the proposed plan and explained the history of the subject parcel as well as adjacent parcels.

Mr. Rosenbaum questioned the time for allocation testing and Mr. Antol explained that the plan is not tested for allocations until the Decision and Order is signed.

Mr. Joe Rutter, 5300 Dorsey Hall Drive explained the plan as being the second part of the Planned Senior development and that the first section is currently under construction. He stated that there is going to be a large road mitigation plan to widen the road along Marriottsville Road from I-70 to Route 99. Mr. Rutter also stated that the plan received SRC approval in February of 2007.

Ms. Dombrowski asked Mr. Rutter several questions regarding the road configuration, the increased size of the community building as well as the low density of the project. Mr. Rutter explained that the road was configured in a way to reduce the environmental impact on wetlands. He stated the community building was increased in size due to recent changes in the Zoning Regulations. He also stated that the low density was determined by the layout of the plan as well as leaving an optimal buffer between the subject parcel and the adjacent landfill parcel.

Mr. Rosenbaum asked how the MIHU requirement was being met. Mr. Rutter explained that the 102 unit apartment building at Warwick and Birmingham provides MIHUs (in a green building) and is already up and operational.

Mr. Grabowski questioned the timing for the road mitigation. Mr. Rutter stated that as soon as the Final Plan was approved he hoped to start construction.

Joel Goodman of 6006 Ten Oaks Road, Clarksville, Maryland spoke as a representative for the Howard Astronomical League. He stated his concerns that lighting from the project would affect an observatory that is being installed at the adjacent Alpha Ridge park. He requested that the developer not use light that would be projected upward and dark sky lighting features.

Mr. Rutter stated that he would work with the League as long as the requests follow the County's Design Manual Guidelines.

Mr. Grabowski closed the public hearing at approximately 7:30 p.m.

Motion:

Ms. Dombrowski recommended approval for PB 381 and Mr. Rosenbaum seconded the motion.

Discussion:

Ms. Dombrowski stated that the plan was detailed, complied with standards and that it clearly met the criteria.

Mr. Alexander stated that the development criteria appear to be consistent with the requirements for PSC zoning.

Mr. Rosenbaum agreed with the Board stating that the plan exceeds the criteria.

Mr. Grabowski stated his agreement that the plan met the criteria and applauded the developer for minimizing the impact to environmental features.

Vote:

4Yea. 0 Nay. The motion was carried.

Mr. Grabowski opened the public meeting at approximately 7:40 p.m.

ZONING REGULATION AMENDMENTS

ZRA-88 Taylor Family Ltd. Partnership

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| Presented By: | Bob Lalush |
| Petition: | To amend the zoning regulations for POR and PEC to allow retail and personal service uses under certain circumstances. |
| DPZ Recommendation: | Denial |
| Petitioner's Representative: | Joe Rutter, Land Design and Development |

Mr. Lalush explained the request for changes to the POR District and PEC Districts and stated the Department's recommendations of denial and further study of whether current commercial and service levels would be adequate to serve future levels of age-restricted housing.

Mr. Alexander asked if staff would be doing the study and if there are any existing areas in the proximity where retail and professional services are currently available. Mr. Lalush explained that staff would do the assessment and that currently there are no areas where this scenario is represented.

Mr. Lalush explained that according to the Research Division the total number of age-restricted units are 435 at 3,000 square feet of retail per 100 units, would be too much. He explained that it adds potential for a large development.

Mr. Joe Rutter of Land Design and Development explained that the amendment would permit better use of small office and retail buildings already built and would be locally serving retail that can't be accommodated in the Waverly or Taylor Manor village centers.

Mr. Don Reuwer of Land Design and Development stated that residential customers need more services than what is provided so therefore the need does exist.

Mr. Alexander asked for the rationale relating to the POR district. Mr. Rutter explained that the PEC District already permits certain percentages for retail and services and that the original intention was for employment centers.

Ms. Dombrowski questioned the amenities required and how it would impact open space requirements and how much housing would be lost. Mr. Reuwer explained that active adult is not permitted unless it has a PSC overlay and that once approved it would not allow retail to replace residential.

Ms. McLaughlin stated that as a text amendment rather than a zoning map amendment with an associated site plan, there is not enough information to know how the amendment would work.

Mr. Grabowski suggested that a sliding scale of numbers or a cap would be better. Mr. Rosenbaum stated that the parking requirement would change the complexion of the building and that a sliding scale would control trips generated.

Mr. Rutter stated that he would be willing to work with the staff to come up with a better solution for the amendment.

Motion:

Ms. Dombrowski moved to table consideration of ZRA 88 pending additional work between the Petitioner and Staff. Mr. Rosenbaum seconded the motion.

Discussion:

Ms. Dombrowski asked Staff to research sufficiency of POR when there is Senior Housing in terms of retail minimum and to partner with the Office of Aging to determine restrictions.

Vote:

4 Yea 0 Nay. The motion was carried.

SITE DEVELOPMENT PLANS

SDP-07-128 – Hogg Property

Presented By:
Petition:

Brenda Barth
For approval of a site development plan for the construction of 21 single family dwellings on 3.24 acres of land zoned R-ED (Residential-Environmental Development). The subject property is located on the west side of College Avenue and extends to the east side of New Cut Road on Tax Map 25, identified

as Parcel 64 situated in the Second Election District of Howard County, Maryland.

DPZ Recommendation: Approval
Petitioner's Representative: Joe Rutter, Land Design and Development

Ms. Barth gave an overview of the revised site development plan and stated that the SDP addresses the conditions of PB Case 369. She explained that the 11 mature trees lining the existing home's driveway could not be saved due to the depth of the sewer line, the location of trees over a water and sewer easement, and the unhealthy conditions of several trees

Mr. Joe Rutter of Land Design and Development explained that due to the engineering of the subject property the 11 trees could not be saved. He stated that the provision of the Decision and Order for PB 369 could not be complied with and that the historic driveway had to be realigned for the private road.

Ms. Dombrowski asked about replanting large trees in the development to replace the 11 trees that had to be removed. Mr. Rutter stated that there are spots in the Development that large trees could be installed.

Mr. Grabowski stated that the original drive was part of a historical site and that he would like to see the trees installed due to the commitment made in the Decision and Order for PB Case 369.

Mr. Rosenbaum stated that the developer had made a good faith effort to put in large trees.

Mr. Don Reuwer of Land Design and Development stated that he took responsibility for the removal of the mature trees and would agree to install several large trees throughout the development.

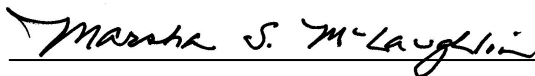
Motion:

Mr. Rosenbaum moved to approve SDP-07-128 Hogg Property with tree plantings to replace the 11 mature trees that were removed. Ms. Dombrowski seconded the motion.

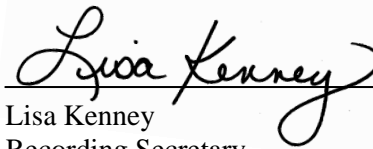
Vote:

4 Yea 0 Nay. The motion was carried.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 9:05 P.M.



Marsha McLaughlin
Executive Secretary



Lisa Kenney
Recording Secretary